

**TITLE SEARCH REPORT
FOR
WEST VERMONT WATER CONTAMINATION SITE**

**MICHIGAN PLAZA PROPERTY
MARION COUNTY, INDIANA**

NPL STATUS: NON-NPL

Prepared for:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Emergency Response Branch
Region V
77 West Jackson Boulevard
Chicago, Illinois 60604-3507

Prepared by:

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1. INTRODUCTION

The United States Environmental Protection Agency (U.S. EPA) Region V requested that Weston Solutions, Inc.® (WESTON) perform title search activities for the West Vermont Water Contamination Site (the Site), located in Indianapolis, Marion County, Indiana, specifically, the Michigan Plaza property located at 3811 West Michigan Street. The objective of this title search is to compile property ownership information from 1960 to the present and to summarize the information into a final title search report.

1.1 METHODOLOGY

The U.S. EPA Enforcement Specialist, Ms. Valerie Mullins, was contacted to discuss the research objectives for this assignment and to obtain specific directions regarding the information to be developed. Title documents were collected by Chicago Title Insurance Company of Chicago, Illinois. Information regarding the condition of title for the property is described in Section 3.

1.2 LEGAL DESCRIPTION

The legal description for the Michigan Plaza property is:

A part of Lot 8 in the Zadok Tomlinson Estate Partition of the South half of the Northwest quarter of Section 5, Township 15 North, Range 3 East of the Second Principal Meridian in Marion County, Indiana, more particularly described as follows, to-wit:

Commencing at the Southeast corner of said Northwest quarter; thence North 01 degrees 53 minutes 21 seconds East on and along the East line of said quarter section 735.11 feet to the centerline of Michigan Street as described by previous deed; thence North 90 degrees 00 minutes 00 seconds West 235.88 feet to the point of beginning of this description; thence South 2 degrees 01 minutes 47 seconds West 368.16 feet; thence South 89 degrees 51 minutes 30 Seconds West 181.94 feet; thence North 1 degree 53 minutes 21 seconds East parallel to the East line of said quarter section 368.58 feet to the center line of Michigan Street as described in previous deed; thence South 90 degrees 00 minutes 00 seconds East 182.82 feet to the point of beginning.

Parcel Number 9011035. A parcel map is included as Figure 1.

Figure 1 - Parcel Map

2. CURRENT SITE OWNERSHIP INFORMATION

The property is currently owned by GenNx Properties VII, LLC. Taxes for the first half of the 2011 tax year have been paid. Taxes for the second half of the 2011 tax year, totaling \$2,731.50, are not yet due and payable.

3. TITLE NARRATIVE

Prior to July 1967, the Michigan Plaza property consisted of two distinct parcels with separate chains of title. Hereinafter in this report, they shall be referred to as Parcel 1 and Parcel 2. Parcel 1 contained one acre of land and Parcel 2 contained .55 of an acre of land.

Parcel 1:

Prior to December 19, 1941, Parcel 1 was owned by John A. Potter and Lizzie Potter. On December 19, 1941, John A. Potter and Lizzie Potter, husband and wife, conveyed Parcel 1 to Martin J. Dugan and Lula Dugan, husband and wife, through a Warranty Deed (A-1).

Martin J. Dugan and Lula Dugan owned Parcel 1 from December 19, 1941, until June 25, 1964. On June 26, 1964, Martin J. Dugan and Lula Dugan, husband and wife, conveyed Parcel 1 to Michigan Meadows Apartments, Inc. through a Warranty Deed (A-2).

Michigan Meadows Apartments, Inc. owned Parcel 1 from June 26, 1964, until February 26, 1965. On February 26, 1965, Michigan Meadows Apartments, Inc. conveyed Parcel 1 to Cloverleaf Farms, Inc. through a Warranty Deed. On June 26, 1967, a Corporate Quitclaim Deed from Michigan Meadows Apartments to Cloverleaf Farms, Inc. was made to correct the previous Warranty Deed and certify that the duly elected officers of Michigan Meadows Apartments, Inc. are authorized to execute the deed (A-3, A-4).

Parcel 2:

Prior to May 31, 1941, Parcel 2 was owned by Julia L. Akers and Joseph A. Akers. On May 31, 1941, Julia L. Akers and Joseph A. Akers, her husband, conveyed Parcel 2 to Austin D. Akers through a Warranty Deed. On June 10, 1954, a Warranty Deed from Julia L. Akers and Joseph A. Akers to Austin D. Akers was made to correct legal description in the previous deed (A-5, A-6).

Austin D. Akers owned Parcel 2 from May 31, 1941, to August 27, 1952. On August 27, 1952, Austin D. Akers and Berniece Marie Akers, his wife, conveyed Parcel 2 to Earl C. Townsend, Jr., Trustee, through a Warranty Deed. This conveyance is made to the Trustee for the sole purpose of conveyance by him to Austin Dale Akers and Berniece Marie Akers as tenants by the entirety and for no other purpose. On the same date, Earl C. Townsend, Jr., Trustee, conveyed Parcel 2 back to Austin Dale Akers and Berniece Marie Akers (A-7, A-8).

Austin Dale Akers and Berniece Marie Akers owned Parcel 2 from August 27, 1952, until October 15, 1964. On October 15, 1964, Austin Dale Akers and Berniece Marie Akers, husband and wife, conveyed Parcel 2 to Michigan Meadows Apartments, Inc. through a Warranty Deed (A-9).

Michigan Meadows Apartments, Inc. owned Parcel 2 from October 15, 1964, until February 26, 1965. On February 26, 1965, Michigan Meadows Apartments conveyed Parcel 2 to Cloverleaf Farms, Inc. through a Warranty Deed. On June 26, 1967, a Corporate Quitclaim Deed from Michigan Meadows Apartments to Cloverleaf Farms, Inc. was made to correct the previous Warranty Deed and certify that the duly elected officers of Michigan Meadows Apartments, Inc. are authorized to execute the deed (A-10, A-11).

At this point, both Parcel 1 and Parcel 2 are owned by Cloverleaf Farms, Inc. and are hereinafter conveyed as one property.

Cloverleaf Farms, Inc. owned the subject property from February 26, 1965, until June 26, 1967. On June 26, 1967, Cloverleaf Farms, Inc. conveyed the property to Michigan Plaza, Inc. through a Corporate Warranty Deed (A-12).

Michigan Plaza, Inc. owned the subject property from June 26, 1967, until January 5, 1978. On January 5, 1978, Michigan Plaza, Inc. conveyed the property to David C. Eades and Roy H. Lambert through a Corporate Warranty Deed (A-13).

David C. Eades and Roy H. Lambert owned the subject property from January 5, 1978, until December 29, 1999. On December 29, 1999, David C. Eades and Roy H. Lambert conveyed the property to Aimco Michigan Meadows Holdings, L.L.C. through a Special Warranty Deed (A-14).

Aimco Michigan Meadows Holdings, L.L.C. owned the subject property from December 29, 1999, until May 8, 2008. On May 8, 2008, Aimco Michigan Meadows Holdings, L.L.C. conveyed the property to Aimco Michigan Apartments, LLC through a Quitclaim Deed (A-15).

Aimco Michigan Apartments, LLC owned the subject property from May 8, 2008, until October 15, 2008. On October 15, 2008, Aimco Michigan Apartments, LLC conveyed the property to GenNx Properties VII, LLC through a Limited Warranty Deed (A-16).

APPENDIX A

TITLE DOCUMENT REFERENCES

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- A-1 Warranty Deed. John A Potter and Lizzie Potter, husband and wife, Grantors; Martin J. Dugan and Lula Dugan, husband and wife, Grantees; dated December 19, 1941; recorded December 26, 1941
- A-2 Warranty Deed. Martin J. Dugan and Lula Dugan, husband and wife, Grantors; Michigan Meadows Apartments, Inc., Grantee; dated June 25, 1964; recorded July 1, 1964
- A-3 Warranty Deed. Michigan Meadows Apartments, Inc., Grantor; Cloverleaf Farms, Inc. Grantee; dated February 26, 1965; recorded March 31, 1965
- A-4 Corporate Quitclaim Deed. Michigan Meadows Apartments, Inc., Grantor; Cloverleaf Farms, Inc., Grantee; dated June 26, 1967; recorded July 14, 1967
- A-5 Warranty Deed. Julia L. Akers and Joseph A. Akers, her husband, Grantors; Austin D. Akers, Grantee; dated May 31, 1941; recorded May 31, 1941
- A-6 Warranty Deed. Julia L. Akers and Joseph A. Akers, her husband, Grantors; Austin D. Akers, Grantee; dated June 10, 1954; recorded June 11, 1954
- A-7 Warranty Deed. Austin D. Akers and Berniece Marie Akers, his wife, Grantors; Earl C. Townsend, Jr., Trustee, Grantee; dated August 27, 1952; recorded August 29, 1952
- A-8 Warranty Deed. Earl C. Townsend, Jr., Trustee, Grantor; Austin Dale Akers and Berniece Marie Akers, husband and wife, Grantees; dated August 27, 1952; recorded August 29, 1952
- A-9 Warranty Deed. Austin Dale Akers and Berniece Marie Akers, husband and wife, Grantors; Michigan Meadows Apartments, Inc., Grantee; dated October 15, 1964; recorded November 10, 1964
- A-10 Warranty Deed. Michigan Meadows Apartments, Inc., Grantor; Cloverleaf Farms, Inc., Grantee; dated February 26, 1965; recorded March 31, 1965
- A-11 Corporate Quitclaim Deed. Michigan Meadows Apartments, Inc., Grantor; Cloverleaf Farms, Inc., Grantee; dated June 26, 1967; recorded July 14, 1967
- A-12 Corporate Warranty Deed. Cloverleaf Farms, Inc., Grantor; Michigan Plaza, Inc., Grantee; dated June 26, 1967; recorded July 14, 1967
- A-13 Corporate Warranty Deed. Michigan Plaza, Inc., Grantor; David C. Eades and Roy H. Lambert, Grantees; dated January 5, 1978; recorded January 6, 1978
- A-14 Special Warranty Deed. David C. Eades and Roy H. Lambert, Grantors; Aimco Michigan Meadows Holdings, L.L.C., Grantee; dated December 14, 1999; recorded January 6, 2000
- A-15 Quitclaim Deed. Aimco Michigan Meadows Holdings, L.L.C., Grantor; Aimco Michigan Apartments, LLC, Grantee; dated May 8, 2008; recorded June 2, 2008
- A-16 Limited Warranty Deed. Aimco Michigan Apartments, LLC, Grantor; GenNx Properties VII, LLC, Grantee; dated October 15, 2008; recorded October 20, 2008

ATTACHMENT A
TITLE DOCUMENTS A-1 THROUGH A-16
